

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

John Doe.

Plaintiff,

v.

Baila Sebrow

Defendant

Case No. 2:21-cv-20706

Declaration of Daniel S. Szalkiewicz, Esq.

DANIEL S. SZALKIEWICZ declares as follows:

1. I am a partner at the law firm of Daniel Szalkiewicz & Associates, P.C., attorneys for the defendant in the above captioned action. I submit this declaration in support of Plaintiff's motion to dismiss.

2. On November 1, 2022 at 3:51 P.M., I personally emailed Defendant's counsel a copy of the October 19, 2022 Letter Order (DE 14) to counsel's email address iwhelleresq@gmail.com.

3. On November 10, 2022 at 8:53 A.M., I personally emailed Defendant's counsel a copy of Plaintiff's Rule 26(a)(1) disclosures to counsel's email address iwhelleresq@gmail.com.

4. On November 11, 2022 at 2:25 P.M., I personally emailed Defendant's counsel a copy of the November 10, 2022 Order (DE 14) to counsel's email address iwhelleresq@gmail.com.

5. On November 21, 2022, at 1:42 P.M., I personally emailed Defendant's counsel a copy of the Notice of Deposition of Baila Sebrow, Plaintiff's First Request for the Production of Documents, and Plaintiff's First Set of Interrogatories, to counsel's email address iwhelleresq@gmail.com.

6. On November 21, 2022, at 1:44 P.M., I personally emailed Defendant's counsel an email requesting Defendant provide our firm with her initial disclosures.

7. On December 5, 2022, at 11:46 A.M., I personally emailed Defendant's counsel a good faith letter requesting a copy of Defendant's Rule 26(a)(1) disclosures and to meet and confer regarding e-discovery to counsel's email address [iwhelleresq@gmail.com](mailto:iwhelleresq@gmail.com).

8. On December 16, 2022, at 1:52 P.M., I personally emailed Defendant's counsel a copy of this court's December 12, 2022 Order (DE 21) to counsel's email address [iwhelleresq@gmail.com](mailto:iwhelleresq@gmail.com).

9. On December 21, 2022 at 8:30 P.M. I sent Mr. Heller the good-faith email that is annexed hereto as Exhibit 1.

10. On December 23, 2022, I called Mr. Heller's office twice to discuss outstanding discovery issues. Mr. Heller did not answer his phone.

11. To date, no discovery response or disclosures have been received from Defendant.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: New York, New York  
December 27, 2022

/s/Daniel Szalkiewicz, Esq.  
Daniel S. Szalkiewicz